

**DRAFT**  
MINUTES OF THE CITY COUNCIL  
OF THE  
CITY OF GREENSBORO, N.C.

REGULAR MEETING:

21 JUNE 2005

The City Council of the City of Greensboro met in regular session at 6:00 p.m. on the above date in the Council Chamber of the Melvin Municipal Office Building with the following members present: Mayor Keith A. Holliday, presiding; Councilmembers Bellamy-Small, Claudette Burroughs-White, Sandra G. Carmany, Florence F. Gatten, Yvonne J. Johnson, Robert V. Perkins, Thomas M. Phillips and Donald R. Vaughan. Absent: None. Also present were Mitchell Johnson, Deputy City Manager; Linda Miles, City Attorney; and Susan E. Crotts, Deputy City Clerk.

The meeting was opened with a moment of silence and the Pledge of Allegiance to the Flag.

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The City Manager recognized Rosalyn Fullwood, employee with the Human Relations Department, who served as courier for the meeting.

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After Mayor Holliday outlined the procedure for conduct of the meeting, he invited speakers from the floor to address Council.

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Tony Henderson, residing at 608 East Lee Street, expressed concern with regard to potential negative impacts from a drug treatment program that planned to open a facility in her neighborhood. After Councilmember Burroughs-White advised that Community Relations staff was investigating the matter for Ms. Henderson, the Mayor noted that additional information was required to assess the legality of the proposed land use; he stated staff would follow up with Ms. Henderson.

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Vera Pleasants, residing at 910 Silver Avenue, expressed concern with regard to prostitution in her neighborhood.

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Edith King, residing at 905 Silver Avenue, expressed appreciation to Engineering and Inspections Department staff for arranging the demolition of a dilapidated home on her street. After she requested a higher level of involvement with police and neighborhood residents, Ms. King noted an additional residence in poor condition on her street. Walter "Butch" Simmons, Director of the Engineering and Inspections Department received additional information from Ms. King for follow up.

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Ben Holder, residing at 180 Scotland Ridge Drive in Winston-Salem, NC, stated he was having difficulty obtaining public records from the Inspections Division of the Engineering and Inspections Department. Deputy Manager Johnson stated he had discussed this concern with Mr. Holder prior to the meeting and advised that he would work with staff to address this request.

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Mayor Holliday introduced a resolution honoring the late Mary P. Wynn. After Councilmember Bellamy-Small read the resolution into the record, she spoke to her association with and memories of the late Ms. Wynn.

Councilmember Johnson moved adoption of the resolution. The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

139-05 RESOLUTION HONORING THE MEMORY OF THE LATE MARY P. WYNN

WHEREAS, the City Council and the people of Greensboro are greatly saddened by the death of Mary P. Wynn on June 6, 2005 at the age of 97 and wish to express their great sense of loss and respect;

WHEREAS, Ms. Wynn attended Warren County Schools and in 1933 she graduated from Shaw University;

WHEREAS, upon graduation, Mary taught Home Economics in the North Carolina public school system for 30 years in Northampton, Warren, Moore and Nash counties;

WHEREAS, she and her husband relocated to Greensboro in 1942 where she joined Saint James Presbyterian Church the same year;

WHEREAS, Mary served Saint James as Presbyterian President for the Eastern Section of Yadkin, at the Synod level, as Secretary of Literature and on the social education and action committees as well as two terms as elder, as a member of the Christian Action Committee and as Girl Scout leader;

WHEREAS, Ms. Wynn was also an active member of Zeta Phi Beta Sorority, Shaw University Alumni Association and of the St. Ann Chapter of the Order of the Eastern Star;

WHEREAS, she took great pride in the fact that she and her husband donated the Wynn library to Saint James Presbyterian Church and worked hard with others to furnish the library with books, tables and chairs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council hereby expresses, on behalf of the people of Greensboro, a deep sense of loss and the feeling of respect and gratitude for the life of Mary P. Wynn.
2. That a copy of this resolution shall be delivered to the family of Ms. Wynn as a symbol of the gratitude of the people of Greensboro.

(Signed) Yvonne J. Johnson

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On behalf of Council, Mayor Holliday expressed appreciation of recently retired boards and commission members Gaye Galyon on the Bryan Park Golf Commission; Elizabeth Stauffer, on the Library Board; and Cheryl Collins on the Parks and Recreation Commission; for completion of their term appointments.

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The Mayor stated that Council had received from neighborhood residents and the zoning applicant's representative requests for continuances of an ordinance amending Chapter 30, Sec. 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Low Residential to the Moderate Residential Land Use Classification for a portion of the property at the southwest quadrant of West Friendly Avenue and Lindley Road and the ordinance rezoning from RS-15 Residential Single Family to Conditional District – RM-12 Residential Multifamily for property located at the

southwest quadrant of Friendly Avenue and . Councilmember Gatten stated that residents had contacted her to request continuation to the August 1, 2005 meeting.

Councilmember Gatten moved that these ordinances be continued to the August 1, 2005 Council meeting. The motion was seconded by Councilmember Johnson and unanimously adopted by voice vote of Council.

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Mayor Holliday stated that this was the time and place set for a public hearing to consider an ordinance annexing territory to the corporate limits- located at 3207 and 3203 Pleasant Garden Road- 9.78 acres, and, so that these matters could be discussed together, introduced an ordinance amending Chapter 30, Sec. 30-1-10 of the Greensboro Code of Ordinances with Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Mixed Use Residential to Commercial Land Use classification for a portion of the property at the southeast quadrant of Pleasant Garden Road and US 41 South and an ordinance establishing original zoning classification from County zoning RS-40 Residential Single Family and rezoning from City Zoning Highway Business and RS-9 Residential Single Family to City Zoning Highway Business and RS-9 Residential Single Family to City Zoning Conditional District- Highway Business for property located at the southeast quadrant of Pleasant Garden Road and US 421 South.

Richard "Dick" Hails, Planning Department Director, presented slides and an orientation map to describe the subject property and surrounding area. He summarized the requests and read the conditions as proposed in the ordinance into the record: 1) Uses: All uses in the Highway Business zoning district except the following which shall not be permitted: no sexually oriented businesses, no bar, no vehicle sales, no boat sales, no drive-thru restaurants. 2) Property shall be developed as a neighborhood shopping center substantially in accordance with site plan submitted with application. 3) Property shall be buffered by a Type B landscape buffer with fencing adjacent to residential properties. 4) All perimeter lighting shall be directed inward to safely light the site at entrance(s) , parking and service areas. 5) Access shall be limited to that shown on the site plan.

Mr. Hails stated that the Planning Board and Zoning Commission had recommended denial of the zoning request at their May 18, 2005 meeting. He advised that the Planning Board recommended denial of the Comprehensive Plan Generalized Future Land Use Map and that the Zoning Commission had voted in favor of the rezoning request.

After Councilmember Perkins expressed concern with respect to potential invalidity of the second condition due to the impact of the proximity of watershed area reflected in the sketch plan on the ability to build a shopping center, Mr. Hails stated he planned to address this during presentation of the staff recommendation.

Mayor Holliday asked if anyone present wished to speak to these matters.

The following speakers spoke in favor of the proposed rezoning:

Mark Isaacson, attorney with offices located at 101 West Friendly Avenue, stated he wished to submit an additional condition for Council's consideration due to concerns raised at the Zoning Commission meeting. He read into the record the following additional condition:

6) The shopping center buildings shall be constructed of brick facade on the front of buildings.

After Councilmember Perkins expressed concern with regard to clarity of the intent of this condition, Mr. Isaacson offered to revise the condition for clarification if needed.

Following brief discussion, Councilmember Johnson moved to add to the proposed ordinance the condition as submitted by Mr. Isaacson for Council's consideration. The motion was seconded by Councilmember Bellamy-Small and adopted 8-1 by voice vote of Council, with Councilmember Perkins voting in opposition.

Mr. Isaacson distributed information to Council for their review. He outlined aspects of the proposed design of the shopping center and noted its intention to serve the neighborhood. Mr. Isaacson stated that that if water issues emerged in the site plan review process of the Technical Review Committee, the proposed site development plan would

be subject to change based on legal requirements to develop the property.

After the City Attorney advised that the applicant could better word the proposed conditions by listing criteria on the site plan versus the actual site, Mr. Isaacson offered to reword the condition during a meeting break for submission to Council. Following additional discussion, the Mayor stated that amended conditions could be submitted during the rebuttal period of the hearing. After the City Attorney advised that amendments to conditions should be proposed by Mr. Isaacson prior to continuation of the hearing, the Mayor declared a ten minute recess.

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The Mayor declared a recess at 6:34 p.m.

The meeting reconvened at 6:54 p.m. with all members of Council present.

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Mr. Isaacson distributed to Council for their reference the list of conditions that were reviewed by Mr. Hails earlier in the meeting. He proposed that condition #1 be revised to state: "The property shall be developed as a shopping center with not to exceed 53,000 square feet of retail space with a central parking area with buildings located around the outside of the property and in compliance with all applicable code requirements. All areas not developed in connection with the shopping center shall be left undisturbed." Mr. Isaacson requested Council to modify condition #5 to read, :site plans shall accommodate a sidewalk."

During brief discussion, Councilmembers Perkins, Phillips and Gatten voiced concerns and raised questions with respect to the proposed amended conditions.

Councilmember Bellamy-Small moved to modify conditions #1 and #5 as proposed by Mr. Isaacson. The motion was seconded by Councilmember Vaughan. No action was taken.

Councilmember Phillips stated that in his opinion, this matter should be continued to a later date to provide time for Council to receive clarifying information pertaining to concerns expressed by Councilmembers.

Councilmember Vaughan moved that these ordinances be continued to the July 19, 2005 meeting without further advertising. The Mayor stated that other speakers could be heard at that meeting. Councilmember Perkins suggested that the hearing be started as a new hearing, with 20 minutes for speakers per side. No action was taken.

During additional discussion, the Mayor suggested consideration of changes to services provided to citizens during the review process. No action was taken.

Councilmember Vaughan moved that the ordinance annexing territory to the corporate limits- located at 3207 and 3203 Pleasant Garden Road- 9.78 acres; ordinance amending Chapter 30, Sec. 30-1-10 of the Greensboro Code of Ordinances with Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) from the Mixed Use Residential to Commercial Land Use classification for a portion of the property at the southeast quadrant of Pleasant Garden Road and US 41 South; and the ordinance establishing original zoning classification from County zoning RS-40 Residential Single Family and rezoning from City Zoning Highway Business and RS-9 Residential Single Family to City Zoning Highway Business and RS-9 Residential Single Family to City Zoning Conditional District- Highway Business for property located at the southeast quadrant of Pleasant Garden Road and US 421 South, be continued to the July 19, 2005 Council meeting. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

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After noting that the next two agenda items had been continued earlier in the meeting, the Mayor introduced,

so that these matters could be considered together, an ordinance annexing territory to the corporate limits- North Church Street- 73.7 acres; an ordinance amending Chapter 30, Sec. 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Growth Strategy Map (Figure 4-3) from Tier Three (Long-Term Growth Area) to Tier One (Current Growth Area) for a portion of the property on the east and west sides of North Church Street south of Air Harbor Road; an ordinance amending Chapter 30, Sec. 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map (Figure 4-2) to establish the Low Residential Land Use Classification for a portion of property on the east and west sides of North Church Street south of Air Harbor Road; and an ordinance establishing original zoning from County Zoning Agricultural to City Zoning Conditional District- RS-12 Residential Single Family for property located on the east and west sides of North Church Street, south of Air Harbor Road and east of Tamannary Drive.

Mr. Hails presented photos and an orientation map to describe the subject and surrounding property. He summarized the requests and read into the record the following conditions submitted with the rezoning request: 1) all uses permitted in this request are those permitted in RS-12 Zoning District 2) The maximum number of developed lots shall be 130 3) A vegetative buffer not to exceed 25 feet in width shall be provided in the southeast portion of the western tract of the subject property along the common boundary lines, with that property currently owned by Wyatt H. McNairy, Jr. Mr. Hails stated the Zoning Commission and Planning Board had recommended in favor of the proposal.

Mayor Holliday asked if anyone present wished to speak to these matters.

The following speakers spoke in favor of the proposed ordinances:

Derek Allen, representative from Brooks Pierce law firm with offices located at 230 North Elm Street, stated that the subject property was currently under contract for sale. He spoke to the applicant's process for creating the development plan which had included neighborhood input and meetings with staff from various City departments. Mr. Allen presented information to Council relevant to the proposed ordinances which he reviewed in detail. He stated that, in his opinion, the proposed project was consistent with the 2025 Connections Comprehensive Plan and requested Council to adopt the proposed ordinances.

There being no one else present who wished to be heard, Councilmember Bellamy-Small moved that the public hearing be closed. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Mr. Hails explained the rationale for the proposed changes to the Generalized Future Land Use Map, annexation for acquisition of City water and sewer services, and low density residential development. He stated staff recommended approval of the ordinances.

Councilmember Gatten moved adoption of the ordinance annexing territory to the corporate limits – North Church Street- 73.7 acres. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

**05-123 AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (LOCATED ON NORTH CHURCH STREET – 73.7 ACRES)**

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro city limit line (as of May 31, 2005), said point being the southeast corner of Tammanary Forest, Section 3, as recorded in Plat Book 87, Page 7 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the east line of said Section 3 and the east line of Tammanary Forest, Section 2, as recorded in Plat Book 87, Page 6 in the Office of the Register of Deeds, N 2° 23' 41" E 2,131.65 feet to the northeast corner of said Section 2; thence S 89° 06' 26" E 1,732.35 feet with the north line of Carolyn and Dorothy McNairy Limited Partnership to a point in the west right-of-way line of N. Church Street; thence in an easterly direction, crossing N. Church Street, approximately 60 feet to a point in the McNairy north line in the east right-of-way line of N. Church Street; thence N 89° 47' 28" E 327.01 feet

with McNairy's north line to McNairy's northeast corner; thence with McNairy's east line the following four courses and distances: 1) S 11° 57' 57" E 251.38 feet to a point, 2) S 30° 20' 55" E 227.78 feet to a point, 3) S 1° 39' 56" E 209.90 feet to a point, and 4) S 16° 28' 38" E 254.66 feet to a point; thence S 49° 26' 08" W 222.54 feet to a point in the east right-of-way line of N. Church Street; thence with said right-of-way line N 21° 13' 22" W 506.09 feet to a point; thence continuing with said right-of-way line S 61° 40' 00" W 13.49 feet to a point; thence in a westerly direction, crossing N. Church Street, approximately 60 feet to a point in the McNairy line in the west right-of-way line of N. Church Street; thence with said right-of-way line S 64° 06' 57" W 12.73 feet to a point in McNairy's southeast line; thence with McNairy's southeast line the following seven courses and distances: 1) N 19° 56' 01" W 26.21 feet to a point, 2) S 70° 59' 40" W 327.74 feet to a point, 3) S 31° 46' 17" W 218.44 feet to a point, 4) S 1° 58' 14" W 350.91 feet to a point in the north line of Guilford County and City of Greensboro, as recorded in Plat Book 115, Page 44 in the Office of the Register of Deeds, 5) S 65° 57' 03" W 785.96 feet to a point, 6) S 34° 57' 36" W 384.15 feet to a point, and 7) S 18° 48' 23" W 266.71 feet to a point in the north line of City of Greensboro, as recorded in Plat Book 112, Page 47 in the Office of the Register of Deeds, said point being in the existing city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS N 88° 36' 13" W 556.47 feet to the point and place of BEGINNING, and containing approximately 73.7 acres, of which approximately 72.8 acres is outside of street right-of-way.

Section 2. The owners agree to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owners shall be fully responsible for extending water and sewer service to the property at said owners' expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after August 31, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 10/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2005. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after August 31, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, June 21<sup>st</sup>, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than June 11, 2005.

(Signed) Florence Gatten

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Councilmember Gatten moved adoption of the ordinance amending Chapter 30, Sec. 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Growth Strategy Map (Figure 4-3) from Tier Three (Long-Term Growth Area) to Tier One (Current Growth Area) for a portion of the property on the east and west sides of North Church Street south of Air Harbor Road. The motion was seconded by Councilmember Phillips; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-124 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GROWTH STRATEGY MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Growth Strategy Map, and is labeled Figure 4-3; and

WHEREAS, an amendment to that as shown on the attached map to change from Tier Three (Long-term Growth Area) to Tier One (Current Growth Area) for a portion of the property on the east and west sides of North Church Street south of Air Harbor Road; and

WHEREAS, this amendment was considered at the May 18, 2005 joint Planning Board and Zoning Commission meeting and, after a public hearing received a favorable recommendation from the Planning Board by a vote of 5 to 0, with one abstention.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Growth Strategy Map Figure 4-3 is amended as follows:

Section 1. The Growth Strategy Map Figure 4-3 is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective on June 21, 2005.

(Signed) Florence Gatten

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Councilmember Phillips moved adoption of an ordinance amending Chapter 30, Sec. 30-1-10, Relation to the Comprehensive Plan, to consider an amendment to the Connections 2025 Comprehensive Plan Generalized Future Land Use Map to establish the Low Residential Land Use Classification for a portion of the property on the east and west sides of North Church Street south of Air Harbor Road.

05-125 AMENDING THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN

AN ORDINANCE AMENDING THE GENERALIZED FUTURE LAND USE MAP OF THE GREENSBORO CONNECTIONS 2025 COMPREHENSIVE PLAN, INCORPORATED BY REFERENCE IN THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO ZONING, PLANNING AND DEVELOPMENT CHAPTER 30, SECTION 30-1-10

WHEREAS, the City Council adopted the *Greensboro Connections 2025 Comprehensive Plan* on May 6, 2003 which contains a Generalized Future Land Use Map, and is labeled Figure 4-2; and

WHEREAS, an amendment to that as shown on the attached map to establish the low Residential land use classification for a portion of the property on the east and west sides of North Church Street south of Air Harbor Road; and

WHEREAS, this amendment was considered at the May 18, 2005 joint Planning Board and Zoning Commission meeting and, after a public hearing received a favorable recommendation from the Planning Board by a vote of 5 to 0, with one abstention.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO, NORTH CAROLINA, that the Generalized Future Land Use Map Figure 4-2 is amended as follows:

Section 1. The Generalized Future Land Use Map Figure 4-2 is hereby amended as shown on the attached map.

Section 2. All ordinances in conflict with the provisions of this ordinance are repealed to the extent of such conflict.

Section 3. This ordinance shall become effective on June 21, 2005.

(Signed) Thomas M. Phillips

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Councilmember Gatten moved adoption of an ordinance establishing original zoning classification from County Zoning Agricultural to City Zoning Conditional District- RS-12 Residential Single Family for property locate on the east and west sides of North Church Street, south of Air Harbor Road and east of Tamannary Drive. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 05-126 AMENDING OFFICIAL ZONING MAP

EAST AND WEST SIDES OF NORTH CHURCH STREET, SOUTH OF AIR HARBOR ROAD AND EAST OF TAMANNARY DRIVE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. The Official Zoning Map is hereby amended by establishing original zoning from County Zoning Agricultural to City Zoning Conditional District – RS-12 Residential Single Family (subject to those conditional uses with limitations as set forth in Sections 2, 3 and 4 of this ordinance) the area described as follows:

BEGINNING at a point in the existing Greensboro city limit line (as of May 31, 2005), said point being the southeast corner of Tammanary Forest, Section 3, as recorded in Plat Book 87, Page 7 in the Office of the Register of Deeds of Guilford County; THENCE DEPARTING FROM THE EXISTING CITY LIMITS with the east line of said Section 3 and the east line of Tammanary Forest, Section 2, as recorded in Plat Book 87, Page 6 in the Office of the Register of Deeds, N 2° 23' 41" E 2,131.65 feet to the northeast corner of said Section 2; thence S 89° 06' 26" E 1,732.35 feet with the north line of Carolyn and Dorothy McNairy Limited Partnership to a point in the west right-of-way line of N. Church Street; thence in an easterly direction, crossing N. Church Street, approximately 60 feet to a point in the McNairy north line in the east right-of-way line of N. Church Street; thence N 89° 47' 28" E 327.01 feet with McNairy's north line to McNairy's northeast corner; thence with McNairy's east line the following four courses and distances: 1) S 11° 57' 57" E 251.38 feet to a point, 2) S 30° 20' 55" E 227.78 feet to a point, 3) S 1° 39' 56" E 209.90 feet to a point, and 4) S 16° 28' 38" E 254.66 feet to a point; thence S 49° 26' 08" W 222.54 feet to a point in the east right-of-way line of N. Church Street; thence with said right-of-way line N 21° 13' 22" W 506.09 feet to a point; thence continuing with said right-of-way line S 61° 40' 00" W 13.49 feet to a point; thence in a westerly direction, crossing N. Church Street, approximately 60 feet to a point in the McNairy line in the west right-of-way line of N. Church Street; thence with said right-of-way line S 64° 06' 57" W 12.73 feet to a point in McNairy's southeast line; thence with McNairy's southeast line the following seven courses and distances: 1) N 19° 56' 01" W 26.21 feet to a point, 2) S 70° 59' 40" W 327.74 feet to a point, 3) S 31° 46' 17" W 218.44 feet to a point, 4) S 1° 58' 14" W 350.91 feet to a point in the north line of Guilford County and City of Greensboro, as recorded in Plat Book 115, Page 44 in the Office of the Register of Deeds, 5) S 65° 57' 03" W 785.96 feet to a point, 6) S 34° 57' 36" W 384.15 feet to a point, and 7) S 18° 48' 23" W 266.71 feet to a point in the north line of City of Greensboro, as recorded in Plat Book 112, Page 47 in the Office of the Register of Deeds, said point being in the existing city limits; THENCE PROCEEDING



WITH THE EXISTING CITY LIMITS N 88° 36' 13" W 556.47 feet to the point and place of BEGINNING, and containing approximately 73.7 acres, of which approximately 72.8 acres is outside of street right-of-way.

Section 2. That the original zoning to Conditional District – RS-12 Residential Single Family is hereby authorized subject to the following use limitations and conditions:

- 1) Uses: All uses permitted in the RS-12 zoning district.
- 2) The maximum number of developed lots shall be 130.
- 3) A vegetative buffer not to exceed 25 feet in width shall be provided in the southeast portion of the western tract of the subject property along the common boundary lines with that property currently owned by Wyatt H. McNairy, Jr.

Section 3. This property will be perpetually bound to the uses authorized and subject to such conditions as imposed, unless subsequently changed or amended as provided for in Chapter 30 of the Greensboro Code of Ordinances. Final plans for any development shall be submitted to the Technical Review Committee for approval.

Section 4. Any violations or failure to accept any conditions and use limitations imposed herein shall be subject to the remedies provided in Chapter 30 of the Greensboro Code of Ordinances.

Section 5. This ordinance shall be effective on the date of annexation.

(Signed) Florence Gatten

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Mayor Holliday stated this was the time and place set for a public hearing to consider an ordinance designating as an Historic Landmark the Vick Apartments (Vick Commons), located at 132 East Fisher Avenue, Greensboro, NC.

The Mayor asked if anyone present wished to speak to this matter.

Benjamin Briggs, residing in High Point and chair of the Guilford County Historic Preservation Commission, provided background information on the proposed historic landmark and noted that this property met the requirements of sufficiency for historical designation.

Councilmember Johnson moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-127 AN ORDINANCE ADOPTED BY THE MAYOR AND THE GREENSBORO CITY COUNCIL  
DESIGNATING THE VICK APARTMENT BUILDING AS AN HISTORIC LANDMARK

WHEREAS, all the prerequisites to the adoption of the ordinance, as prescribed by chapter 160A, Article 19, Part 3C of the North Carolina General Statutes, have been met;

WHEREAS, the Guilford County Historic Preservation Commission has submitted a report, which is incorporated herein by reference, and recommended in a public hearing that the property described below be designated as an historic landmark:

WHEREAS, appropriate notice has been given of the public hearing as required by law;

WHEREAS, the Guilford County Historic Preservation Commission finds that the property described herein is of historical, architectural, educational, and/or cultural significance, and its preservation should be encouraged so as to safeguard the heritage of the Town and County and to promote the use and conservation for the education, pleasure, and enrichment of the residents of the Town and County.

NOW, THEREFORE, BE IT ORDAINED BY THE GREENSBORO MAYOR AND CITY COUNCIL:

Section 1. The Mayor and the Greensboro City Council accepts the findings of the Guilford County Historic Preservation Commission and adopts the recommendation of the Commission for the preservation of the subject property by the authority set forth in Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and local ordinance adopted pursuant thereto.

Section 2. The designation includes the interior and exterior of the entire structure to include all architectural features, windows, floors, doors, hardware, original light fixtures and the entire parcel Greensboro City Map 14 block 11 lot 10 as described in Guilford County DEED BOOK 5973P AGE 1723 and DEED BOOK 6029 PAGE 3009. Owned by Cheney-Frye Properties #2 LLC, 408, Blandwood Avenue, Greensboro, NC.

Section 3. A suitable sign shall be installed either on the property with the trustees' consent or on nearby right-of-way, and such sign shall indicate that such property has been designated as a Historic Landmark.

Section 4. The procedures provided by law, including waiting period, shall be observed prior to demolition, alteration remodeling referred to as the Certificate of Appropriateness process or removal of the designation from the property.

Section 5. A certified copy of this ordinance is to be appropriately recorded with the Register of Deeds, the Tax Department, and Inspections Department in accordance with provisions of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes and the local ordinance adopted pursuant thereto.

Section 6. This ordinance shall be effective from and after its adoption.

(Signed) Yvonne J. Johnson

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In response to staff's request, the Mayor removed agenda items #23 and #28 from the consent agenda for discussion.

Councilmember Carmany moved adoption of the Consent Agenda as amended. The motion was seconded by Councilmember Vaughan; the amended Consent Agenda was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

140-05 RESOLUTION ESTABLISHING ACCEPTANCE OF GRANT FUNDS FROM THE NORTH CAROLINA GOVERNOR'S HIGHWAY SAFETY PROGRAM TO SERVE AS REGION IV COORDINATOR

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

WHEREAS, the Greensboro Police Department has completed an application contract for traffic safety funding;

WHEREAS, the Police Department has been selected to act as the Region IV Coordinator for the Governor's Highway Safety Grant;

WHEREAS, grant funding in the amount of \$10,000 is available from the Governor's Highway Safety Grant to offset the costs of this coordination;

WHEREAS, the State must receive a copy, signed by the Mayor, of the North Carolina Governor's Highway Safety Program Local Governmental Resolution Form, which is attached to this resolution, with the grant information submitted by the Police Department;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Greensboro Police Department be authorized to accept the funds from the North Carolina Governor's Highway Safety Program in the amount of \$10,000 to serve as the Region IV Coordinator of the Governor's Highway Safety Grant.

(Signed) Sandy Carmany

.....

05-128 ORDINANCE AMENDING STATE, FEDERAL AND OTHER GRANTS FUND BUDGET  
FOR THE APPROPRIATION OF GOVERNOR'S HIGHWAY SAFETY FUNDS FOR  
SERVING AS THE REGION IV COORDINATOR

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the State, Federal, and Other Grants Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the State, Federal and other Grants Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3505-01.5235	Small Tools and Equipment	\$8,350
220-3505-01.5520	Seminars/Training Expenses	<u>\$1,650</u>
TOTAL:		\$10,000

And, that this increase be financed by increasing the following State, Federal, and Other Grants Funds accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
220-3505-01.7110	State Grant	<u>\$10,000</u>
TOTAL:		\$10,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

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05-129 ORDINANCE AMENDING THE DAVIE STREET PARKING DECK BUDGET FOR FY 2004-2005

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

That the Parking Facilities Operating Fund budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Parking Facilities Operating Fund budget be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
543-4531-01.6542	Transfer to Davie Street Parking Facility	\$30,000
	Fund	
Total		\$30,000

And, that this increase be financed by increasing the following Parking Facilities Operating Fund Accounts:

<u>Account</u>	<i>Description</i>	<i>Amount</i>
543-0000-00.8900	Appropriated Fund Balance	\$30,000
Total		\$30,000

## Section 2

And, that the Davie Street Deck Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Davie Street Deck Budget be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
542-4531-01.5613	Maintenance & Repair of Building	\$30,000
Total		\$30,000

And, that this increase be financed by increasing the following Davie Street Deck Fund Accounts:

<u>Account</u>	<i>Description</i>	<i>Amount</i>
542-0000-00.9543	Transfer from Parking Facilities Operating Fund	\$30,000
Total		\$30,000

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

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05-130 ORDINANCE ESTABLISHING THE BUDGET FOR THE FY 2005-2006 GREENSBORO  
URBAN AREA METROPOLITAN PLANNING ORGANIZATION (MPO) IN THE STATE  
AND FEDERAL GRANTS FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

## Section 1

That the FY 05-06 budget for the Greensboro Urban Area Metropolitan Planning Organization (MPO) in the State and Federal Grants Fund Budget of the City of Greensboro is hereby established as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
220-4566-01.4110	Salaries and Wages	45,000
220-4566-01.4140	Roster Wages	35,000
220-4566-01.4410	Longevity	2,105
220-4566-01.4510	FICA Contribution	8,610
220-4566-01.4520	Retirement Contribution	3,780
220-4566-01.4610	Health Coverage-Active	5,480
220-4566-01.4650	Dental Coverage- Active	604
220-4566-01.4710	Life Insurance-Active	421
220-4566-01.5211	Postage	1,000
220-4566-01.5212	Computer Software	5,000

220-4566-01.5213	Office Supplies	500
220-4566-01.5221	Advertising	3,000
220-4566-01.5222	Professional Organizational Dues	2,000
220-4566-01.5223	Subscriptions	500
220-4566-01.5224	Outside Printing	2,000
220-4566-01.5235	Small Tools & Equipment	500
220-4566-01.5239	Miscellaneous Supplies	1,000
220-4566-01.5254	Rental Equipment	500
220-4566-01.5261	Books	500
220-4566-01.5413	Consultant Services	285,497
220-4566-01.5431	In-House Printing	3,500
220-4566-01.5510	Business & Meeting Expenses	3,500
220-4566-01.5520	Seminar/Training Expense	5,000
220-4566-01.5928	In-Kind Services	103,749
220-4566-01.6059	Other Capital Equipment	<u>10,000</u>
Total		528,746

And that this budget be financed by establishing the following State and Federal Grants Fund Accounts:

<u>Account</u>	Description	Amount
220-4566-01.7110	State Grant	\$414,997
220-4566-01.7170	Local Gov't Grant	\$10,000
220-4566-01.8695	Local In-Kind Services	\$103,749
Total		\$528,746

## Section 2

This Ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Sandy Carmany

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141-05 RESOLUTION AUTHORIZING THE CONVEYANCE OF PROPERTY IN THE OLE ASHEBORO NEIGHBORHOOD FROM THE REDEVELOPMENT COMMISSION OF GREENSBORO TO GREENSBORO HOUSING DEVELOPMENT PARTNERSHIP, INC. (GHDP)

WHEREAS, in April, 2004 City Council adopted the amended Ole Asheboro Redevelopment Plan which calls for the development of approximately 20 acres of vacant land within the Ole Asheboro area;

WHEREAS, The Redevelopment Commission approved the sale of 27 parcels in the Ole Asheboro neighborhood to Greensboro Housing Development Partnership, Inc. (GHDP), said list of parcels presented herewith this day;

WHEREAS, Greensboro Housing Development Partnership, Inc. proposes to develop owner-occupied, single family homes in accordance with the Ole Asheboro Plan, with net proceeds from development returned to the City.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the conveyance of 27 parcels presented herewith this day in the Ole Asheboro Neighborhood from the Redevelopment Commission of Greensboro to Greensboro Housing Development Partnership, Inc. (GHDP) is hereby approved.

(Signed) Sandy Carmany

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142-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO.  
2005-16 WITH HEITKAMP, INC. FOR THE BRICE STREET WATERLINE  
REHABILITATION PROJECT

WHEREAS, after due notice, bids have been received for the rehabilitation of waterlines in the Brice Street/Lindley Park area;

WHEREAS, Heitkamp, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$773,915.00 as general contractor for Contract No. 2005-16, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Sharpe Brothers, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$773,915.00 from Account No. 503-7014-01.6016 Activity #05076.

(Signed) Sandy Carmany

(A tabulation of bids is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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143-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO.  
2005-20 WITH HAMLETT ASSOCIATES, INC. FOR THE SMOKE LAB RENOVATIONS  
AND MODIFICATIONS PROJECT

WHEREAS, after due notice, bids have been received for renovations and modifications to the Smoke Training Lab at the Public Safety Training Facility;

WHEREAS, Hamlett Associates, Inc., a responsible bidder, has submitted the low base and alternate bid in the total amount of \$363,480.00 as general contractor for Contract No. 2005-020, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Hamlett Associates, Inc. is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$363,480.00 from Account No. 436-4030-01.6013.

(Signed) Sandy Carmany

(A tabulation of bids for the Smoke Lab renovations and modifications project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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144-05 RESOLUTION AUTHORIZING AND APPROVING SALE OF LAND TO JOHN BLACK

WHEREAS, the City of Greensboro owns residual property located at 1411 East Washington Street at Tax Map Number 101-7-6, said property being shown on the attached map, for which the City has no governmental or other public need;

WHEREAS, John Black has offered to purchase a portion of said property for the amount of \$15,000.00, which amount, in the opinion of the City Council is fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That pursuant to Section 4.122 of the City Charter, the sale of the above mentioned residual property in the amount of \$15,000.00 is hereby approved and the sale of land to John Black is hereby authorized; and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper deed to convey said property.

(Signed) Sandy Carmany

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145-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO.  
2005-02 WITH MUSTANG ENTERPRISES FOR THE GENERAL SIDEWALK  
IMPROVEMENTS PROJECT

WHEREAS, after due notice, bids have been received for various sidewalk improvements throughout the City;

WHEREAS, Mustang Enterprises, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$771,526.38 as general contractor for Contract No. 2005-02, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Mustang Enterprises is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$771,526.38 from Account No. 402-4531-01.6015 Activity 03218.

(Signed) Sandy Carmany

(A tabulation of bids for the general sidewalk improvements project is filed with the above resolution and is hereby referred to and made a part of these minutes.)

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146-05 RESOLUTION CALLING A PUBLIC HEARING FOR JULY 19, 2005 ON THE ANNEXATION OF  
TERRITORY TO THE CORPORATE LIMITS – THE NORTH SIDE OF KNOX ROAD – 24.89 ACRES

WHEREAS, the owner of all the hereinafter described property, which is non-contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 58.1 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 21st day of June, 2005, the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (THE NORTH SIDE OF  
KNOX ROAD – 24.89 ACRES)

Section 1. Pursuant to G.S. 160A-58.1, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limit line (as of May 31, 2005), said point being in the north line of Lot 4 of Robert L. Page, as recorded at Plat Book 100, Page 7 in the Office of the Register of Deeds of Guilford County, and being S 80° 26' 32" W 160.73 feet from an existing stone at the northernmost corner of said Lot 4; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS S 80° 26' 32" W approximately 864 feet along the north line of said Lot 4 to an iron pipe; thence N 84° 27' 48" W approximately 350 feet to a point in the northern right-of-way line of Knox Road (S.R. # 3142) as shown on Sheet 55 of plans of State Project Reference No. 8.U492302 of the North Carolina Department of Transportation; thence with said northern right-of-way line S 53° 11' 25" E approximately 92 feet to a point; thence with said northern right-of-way line S 86° 27' 36" E 1,112.00 feet to a point; thence with a curve to the right having a chord bearing of S 65° 56' 18" E, a chord distance of 40.00 feet, and a radius of approximately 591 feet to a point; thence crossing Knox Road S 23° 45' 16" W approximately 60 feet to a point on the southern right-of-way line of Knox Road; THENCE DEPARTING FROM THE EXISTING CITY LIMITS in a southeasterly direction with said right-of-way line approximately 1,557 feet to the intersection of the southern right-of-way line of Knox Road and the northern right-of-way line of I-85/40, a point in the existing satellite city limits; THENCE PROCEEDING WITH THE EXISTING CITY LIMITS in a northerly direction, crossing Knox Road, approximately 75 feet to a point on the north right-of-way line of Knox Road; thence along said right-of-way line with a curve to the left having a radius of 270.0 feet and a chord bearing and distance of S 66° 35' 13" E 157.63 feet to the southeast corner of Lot 4 of Robert L. Page; THENCE DEPARTING FROM THE EXISTING CITY LIMITS N 25° 23' 32" W 58.0 feet with the east line of said Lot 4 to a point; thence continuing with said east line N 4° 07' 11" E 139.90 feet to a point; thence continuing with said east line N 4° 05' 49" E 314.98 feet to a point; thence continuing with said east line N 89° 58' 29" E 415.59 feet to a point; thence continuing with said east line N 0° 24' 34" E 455.75 feet to the northeast corner of said Lot 4; thence N 88° 10' 15" W 1,227.07 feet with the north line of Lot 4 to a point; thence N 88° 10' 15" W 16.87 feet with the north line of Lot 4 to a new iron pipe; thence S 40° 28' 48" W 265.27 feet to a point in the northeast right-of-way line of Knox Road; thence N 49° 31' 12" W 42.73 feet along said right-of-way line to an existing iron pipe; thence N 49° 31' 12" W 141.40 feet to a new iron pipe; thence with a curve to the right having a radius of 735.0 feet and a chord bearing

and distance of N 44° 09' 45" W 137.25 feet to a new iron pipe in the north line of said Lot 4; thence continuing with said 735.0-foot-radius curve a chord bearing and distance of N 35° 34' 35" W 82.79 feet to a new iron pipe in the north line of said Lot 4; thence continuing with said 735.0-foot-radius curve a chord bearing and distance of N 28° 56' 17" W 87.43 feet to the point and place of BEGINNING, and containing approximately 24.89 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 3, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, July 19, 2005 at 5:30 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of



Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than July 9, 2005.

(Signed) Sandy Carmany

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147-05 RESOLUTION CALLING A PUBLIC HEARING FOR JULY 19, 2005 ON THE ANNEXATION OF TERRITORY TO THE CORPORATE LIMITS – BLACKBERRY ROAD – 28.977 ACRES

WHEREAS, the owner of all the hereinafter described property, which is contiguous to the City of Greensboro, has requested in writing that said property be annexed to the City of Greensboro;

WHEREAS, Chapter 160A, Section 31 of the General Statutes of North Carolina provides that territory may be annexed after notice has been given by publication one time in a newspaper of general circulation in the city;

WHEREAS, at a regular meeting of the City Council on the 21st day of June, 2005 the following ordinance was introduced:

AN ORDINANCE ANNEXING TERRITORY TO THE CORPORATE LIMITS (BLACKBERRY ROAD – 28.977 ACRES)

Section 1. Pursuant to G.S. 160A-31, the hereinafter described territory is hereby annexed to City of Greensboro:

BEGINNING at a point in the existing Greensboro satellite city limits (as of May 31, 2005) at the southwest corner of Lot 2 of Love and Faith Christian Fellowship Church, as recorded at Plat Book 132, Page 51 in the Office of the Register of Deeds of Guilford County; THENCE PROCEEDING WITH THE EXISTING SATELLITE CITY LIMITS S 88° 01' 02" E 794.87 feet along the south line of Lot 2 to its southeast corner; thence S 88° 08' 04" E 30.55 feet to a point near the centerline of Blackberry Road; thence S 88° 07' 31" E 30.09 feet to the southwest corner of Lot 1 of Love and Faith Christian Fellowship Church; thence S 88° 09' 02" E 590.02 feet along the south line of said Lot 1 to a point; thence S 88° 02' 52" E 454.44 feet along the south line of said Lot 1 to its southeast corner; THENCE DEPARTING FROM THE EXISTING SATELLITE CITY LIMITS and proceeding with two lines that will become part of the satellite city limits on July 31, 2005 S 12° 03' 24" W 399.45 feet to a point and thence S 17° 01' 35" W 288.15 feet to the southeast corner of another property of Love and Faith Christian Fellowship; thence N 89° 07' 17" W 1,762.17 feet along the south line of said property of Love and Faith Christian Fellowship to its southwest corner; thence N 02° 30' 50" E 703.74 feet along the west line of said property to the point and place of BEGINNING, and containing approximately 28.977 acres.

Section 2. The owner agrees to pay to the City of Greensboro an acreage fee of two hundred dollars (\$200.00) per acre for water service and two hundred dollars (\$200.00) per acre for sewer service immediately prior to the time of annexation. Any utility line assessments which may have been levied by the County shall be collected either by voluntary payment or through foreclosure of same by the City. Following annexation, the property annexed shall receive the same status regarding charges and rates as any other property located inside the corporate limits of the City of Greensboro.

Section 3. The owner shall be fully responsible for extending water and sewer service to the property at said owner's expense.

Section 4. From and after the effective date of annexation, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force within the City and shall be entitled to the same privileges and benefits thereof, subject to the provisions in Sections 2 and 3 above.

Section 5. From and after September 30, 2005, the liability for municipal taxes for the 2005-2006 fiscal year shall be prorated on the basis of 9/12 of the total amount of taxes that would be due for the entire fiscal year. The due

date for prorated municipal taxes shall be September 1, 2006. Municipal ad valorem taxes for the 2006-2007 fiscal year and thereafter shall be due annually on the same basis as any other property within the city limits.

Section 6. That this ordinance shall become effective on and after September 30, 2005.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That Tuesday, July 19, 2005 at 5:300 p.m. be fixed as the time and the Council Chambers in the Melvin Municipal Office Building as the place for the public hearing on the proposed annexation of territory to the City of Greensboro as above set out and that this resolution be published in a newspaper published in the City of Greensboro not later than July 9, 2005.

(Signed) Sandy Carmany

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05-131 ORDINANCE ESTABLISHING FUNDING FOR CONCEPT AND DESIGN STUDY FOR  
GREENSBORO WAR MEMORIAL AUDITORIUM ENHANCEMENTS

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation for the General Fund be increased as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-0201-01.5413	Consultant Services	\$ <u>10,000</u>
Total		\$ 10,000

and, that this increase be financed by increasing the following General Fund accounts:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
101-0201-01.8620	Donations & Private Contributions	\$ <u>10,000</u>
Total		\$ 10,000

Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

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05-132 ORDINANCE AMENDING THE GREENSBORO TRANSIT AUTHORITY BUDGET FOR FY 2004-2005

Section 1

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO

That the Greensboro Transit Authority Fund Budget of the City of Greensboro is hereby amended as follows:

That the appropriation to the Greensboro Transit Authority Fund Budget be increased as follows:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
564-4532-01.5423	Contracted Transportation	\$120,000.00
564-4531-01.5245	Diesel Fuel	<u>\$170,000.00</u>
		\$290,000.00
Total		

And, that this increase be financed by increasing the following Greensboro Transit Authority Fund Accounts:

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
564-4531-01.7500	Transportation Fares	\$75,000.00
564-4532-01.7505	Bus Pass Sales	\$23,000.00
564-4533-01.8651	Insurance Refunds/Claims	<u>\$192,000.00</u>
Total		\$290,000.00

## Section 2

And, that this ordinance should become effective upon adoption.

(Signed) Sandy Carmany

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## 05-133 ORDINANCE AMENDING FY 04-05 WATER RESOURCES ENTERPRISE FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

- I. That the FY 04-05 Water Resources Enterprise Fund Budget of the City of Greensboro is amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
501-7018-02.5899	Payment to Escrow Agent	\$31,691,400
501-7018-02.5831	Bond Issue Expense	<u>301,940</u>
Total		\$31,993,340

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
501-7018-02.9005	Proceeds from Refunding Bonds	\$31,070,000
501-7018-02.9001	Premium on Bonds Sold	621,400
501-7018-02.8690	Other Revenue	<u>301,940</u>
Total		\$31,993,340

- II. And, that the FY 04-05 Water Resources Enterprise Fund Budget of the City of Greensboro is amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
501-7014-01.6503	Transfer to Capital Improvement Fund	\$5,244,257

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
501-0000-00.8690	Other Revenue	\$5,244,257

- III. And, that the Water Resources Capital Improvement Fund is amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-7002.01.6019	Capital Improvements	\$2,797,000
503-7003.01.6059	Capital Equipment	<u>2,447,257</u>
Total		\$5,244,257

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
503-0000-00.9501	Transfer from Water Resources Fund	\$5,244,257

(Signed) Sandy Carmany

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The Mayor introduced a resolution listing loans and grants for City Council approval, which had been removed from the Consent Agenda. Deputy City Manager Johnson provided information to Council on one of the agreements listed. Assistant City Manager for Economic Development Brown explained the terms of the listed loan request from the East Market Street Development Corporation. The City Attorney spoke to details of the conditions for the loan, advised that the principal signed a letter of agreement to the conditions stipulated in the loan, and confirmed that the loan was repayable and secured with collateral.

Following brief discussion, Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Johnson; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 148-05 RESOLUTION LISTING LOANS AND GRANTS FOR CITY COUNCIL APPROVAL

WHEREAS, at its March 1<sup>st</sup> meeting City Council the City Manager was instructed to include on the regular Council Consent Agenda all loans and grants in excess of \$10,000;

WHEREAS, City Council approval is required for all loans and grants, or pass through loans or grants in excess of \$10,000 on the recommendation of agencies, non-profits, or other organizations acting on behalf of the City prior to the disbursement of funds;

WHEREAS, requests have been made for loans in excess of \$10,000, said requests are presented herewith this day.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the requests for loans in excess of \$10,000 presented herewith this day are hereby approved in accordance with the guidelines set at the March 1, 2005 council meeting.

(Signed) Claudette Burroughs-White

(A copy of the information presented to Council is filed with the above resolution and is hereby referred to and made a part of the minutes.)

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Mayor Holliday introduced a resolution authorizing purchase of additional property in the amount of \$56,430 of Gerald Pegram for the Parks and Recreation South West Recreation Center, which had been removed from the Consent Agenda.

Deputy City Manager Johnson stated a revised resolution was provided to Council to reflect changes in the

acreage and purchase price following survey of the property. The City Attorney requested Council to amend the resolution originally proposed to reflect 8.67 acres for \$47,685.

Councilmember Phillips moved that the resolution be amended as requested by the City Attorney. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Carmany moved adoption of the resolution as amended. The motion was seconded by Councilmember Vaughan, the amended resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

149-05 RESOLUTION AUTHORIZING PURCHASE OF ADDITIONAL PROPERTY OF GERALD PEGRAM FOR THE PARKS AND RECREATION SOUTH WEST RECREATION CENTER

WHEREAS, on April 19, 2005, Council adopted a resolution for the purchase of 28 acres from Gerald Pegram at \$55,000 per acre for the South West Recreation Center;

WHEREAS, upon completion of the survey work it was found that 1.026 was inadvertently left out of the original acreage and needs to be purchased at this time and shown on the map presented herewith this day;

WHEREAS, the cost for the purchase of the additional 1.026 acres will be \$56,430.00, which will bring the total cost of the property for the recreation center to \$1,596,430.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the purchase of an additional 1.026 acres from Gerald Pegram for the Southwest Recreation Center in the amount of \$56,430.00 is hereby approved.

(Signed)Sandy Carmany

.....

The Mayor read into the record the titles of the ordinances and resolutions of the 2005-2006 Annual Budget proposed for Council's consideration.

Councilmember Johnson requested Andy Scott, Director of Housing and Community Development, to address inquiries she had received from constituents with regard to the impact of changes suggested for housing program funds. Mr. Scott outlined the proposed cuts of \$200,000 from the general fund contribution to four areas of the Nussbaum Fund. He stated that additionally, a reduction of \$100,000 to the Community Development Block Grant Fund would have a net effect of reduction of \$100,000 to housing programs and \$100,000 to the Economic Targeted Development Loan Program. Mr. Scott advised that due to surpluses accumulated in recent years, the impact would be very moderate, likely resulting in delay until the next fiscal year for some homeowners through the Home Ownership program. He noted that with the exception of the Economic Development Targeted Loan program, the other program funding could be restored.

The Mayor thanked City staff and the Budget and Evaluation Department for their work and noted that a tax increase had been avoided in the proposed budget.

Councilmember Phillips shared his opinion that Council additional budget cuts should have been made by Council.

Councilmember Burroughs-White expressed support for the budget but noted her concerns with respect to the need for increased police staffing.

Councilmember Vaughan thereupon moved adoption of an ordinance establishing the FY 2005-06 Annual Operating Budget. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: Phillips.

05-134 AN ORDINANCE ADOPTING THE 2005-06 ANNUAL BUDGET OF THE CITY OF GREENSBORO

Be it ordained by the City Council of the City of Greensboro that for the purpose of financing expenditures of the City of Greensboro, North Carolina, there is hereby appropriated from taxes and other revenue collectible the following funds for operation of City government and its activities for the Fiscal Year 2005-06 beginning July 1, 2005 and ending June 30, 2006.

*Section 1.* It is estimated that the following expenditures are necessary for current operating expenditures and debt service payments for the City of Greensboro for the Fiscal Year 2005-06, beginning July 1, 2005 and ending June 30, 2006.

*General Fund*

Current Operating Expense	199,466,926	
Transfer to Debt Service	<u>14,554,085</u>	\$214,021,011

*Street & Sidewalk Revolving Fund*

Current Operating Expense		721,924
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*State Highway Allocation Fund (Powell Bill)*

Current Operating Expense		6,975,139
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*Cemeteries Operating Fund*

Current Operating Expense		745,310
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*Hotel/Motel Occupancy Tax Fund*

Current Operating Expense		3,586,190
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*Municipal Service Districts Fund*

Current Operating Expense		453,000
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*Nussbaum Housing Partnership Revolving Fund*

Current Operating Expense		2,666,737
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*Guilford Metro 911*

Current Operating Expense		4,704,913
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*Debt Service Fund*

Debt Service		21,887,870
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*Water Resources Enterprise Fund*

Current Operating Expense		69,066,600
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*Stormwater Management Fund*

Current Operating Expense		8,526,670
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*War Memorial Coliseum Complex Fund*

Current Operating Expense		11,493,975
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*Bryan Park Enterprise Fund*

Current Operating Expense		279,432
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*Parking Meter Enterprise Fund*

Current Operating Expense	351,234
<i>Davie Street Parking Facility Fund</i>	
Current Operating Expense	411,263
<i>Parking Facilities Operating Fund</i>	
Current Operating Expense	2,501,280
<i>Solid Waste Management System Fund</i>	
Current Operating Expense	23,104,952
<i>Greensboro Transit Authority Fund</i>	
Current Operating Expense	11,308,683
<i>Equipment Services Fund</i>	
Current Operating Expense	14,835,467
<i>Technical Services Fund</i>	
Current Operating Expense	4,528,973
<i>Telecommunications Fund</i>	
Current Operating Expense	1,201,506
<i>Graphic Services Fund</i>	
Current Operating Expense	1,389,975
<i>Employee Insurance Fund</i>	
Current Operating Expense	27,523,936
<i>General Insurance Fund</i>	
Current Operating Expense	2,009,542
<i>Capital Leasing Fund</i>	
Current Operating Expense	<u>15,980,000</u>
Total	\$450,275,582
Less Total Transfers and Internal Charges	<u>(100,435,494)</u>
Net Total	\$349,840,088

*Section 2.* It is estimated that the following revenues will be available during the Fiscal Year beginning July 1, 2005 and ending June 30, 2006 to meet the foregoing appropriations:

<i>General Fund</i>		
Property Tax	\$115,673,300	
Sales Tax	37,904,800	
Franchise Tax	12,586,950	
State Collected Local Revenues	1,029,800	
ABC Store Revenue	2,595,200	
Privilege License	3,228,975	
All Other	33,830,765	
Appropriated Fund Balance	<u>7,171,221</u>	\$214,021,011

<i>Street &amp; Sidewalk Revolving Fund</i>		
Assessments/Other Revenue	277,000	
Appropriated Fund Balance	<u>444,924</u>	721,924
<i>State Highway Allocation Fund (Powell Bill)</i>		
State Grant	6,590,139	
Other Revenue	<u>385,000</u>	6,975,139
<i>Cemeteries Operating Fund</i>		
Lot Sales	168,000	
Cemetery Services	257,400	
Other Sources	41,600	
Transfer from General Fund	<u>278,310</u>	745,310
<i>Hotel/Motel Occupancy Fund</i>		
Other Revenue	910,000	
Hotel/Motel Tax	<u>2,676,190</u>	3,586,190
<i>Municipal Service Districts Fund</i>		
Property Taxes	<u>453,000</u>	453,000
<i>Nussbaum Housing Partnership Revolving Fund</i>		
Transfer from the General Fund	1,631,700	
Other Revenue	858,398	
Appropriated Fund Balance	<u>176,639</u>	2,666,737
<i>Guilford Metro 911</i>		
Transfer from Other Funds	3,745,130	
Other Revenue	597,010	
Appropriated Fund Balance	<u>362,773</u>	4,704,913
<u>Debt Service Fund</u>		
Other Revenue	3,915,000	
Transfer from the General Fund	14,554,085	
Appropriated Fund Balance	<u>3,418,785</u>	21,887,870
<i>Water Resources Enterprise Fund</i>		
Water & Sewer Charges	64,594,000	
Assessments	200,000	
Other Revenue	1,122,600	
Capacity Use Fees	2,600,000	
Industrial Waste Control	<u>550,000</u>	69,066,600
<i>Stormwater Management Fund</i>		
Stormwater Utility Fees	8,417,170	
Other Revenue	<u>109,500</u>	8,526,670
<i>War Memorial Coliseum Complex Fund</i>		
Concessions	1,404,500	
Admissions and Charges	2,479,145	
Transfer from General Fund	1,800,000	
Other Revenue	<u>5,810,330</u>	11,493,975
<i>Bryan Park Enterprise Fund</i>		



Golf Fees	231,651	
Other Revenue	<u>47,781</u>	279,432
<i>Parking Meter Enterprise Fund</i>		
Parking Fees	264,500	
Other Revenue	72,000	
Appropriated Fund Balance	<u>14,734</u>	351,234
<i>Davie Street Parking Facility Fund</i>		
Parking Fees	247,880	
Other Revenue	700	
Transfer from General Fund	<u>162,683</u>	411,263
<i>Parking Facilities Operating Fund</i>		
Parking Fees	1,184,000	
Transfer From General Fund	1,211,500	
Other Revenue	57,200	
Appropriated Fund Balance	<u>48,580</u>	2,501,280
<i>Solid Waste Management System</i>		
Solid Waste Disposal Fees	4,752,000	
Transfer from General Fund	10,500,000	
Collection Fees	5,816,280	
Other Revenue	1,185,700	
Appropriated Fund Balance	<u>850,972</u>	23,104,952
<i>Greensboro Area Transit Authority Fund</i>		
Property Taxes	4,205,335	
State and Federal Grants	2,772,806	
Transportation Fares	1,355,000	
Duke Power Contribution	1,338,495	
Other Revenue	1,198,826	
Transfer from General Fund	200,000	
Appropriated Fund Balance	<u>238,221</u>	11,308,683
<u>Equipment Services Fund</u>		
Automotive Services	14,000,000	
Other Revenue	810,000	
Appropriated Fund Balance	<u>25,467</u>	14,835,467
<i>Technical Services Fund</i>		
Radio Charges	1,957,500	
Other Revenue	1,204,295	
Appropriated Fund Balance	<u>1,367,178</u>	4,528,973
<i>Telecommunications Fund</i>		
Telephone Services	1,120,000	
Other Revenue	25,775	
Appropriated Fund Balance	<u>55,731</u>	1,201,506
<i>Graphic Services Fund</i>		
Printing Services	<u>1,389,975</u>	1,389,975

*Employee Insurance Fund*

Premiums	25,699,807	
Transfer from General Fund	14,400	
Other Revenue	315,400	
Appropriated Fund Balance	<u>1,494,329</u>	27,523,936

*General Insurance Fund*

Premiums	1,975,362	
Other Revenue	<u>34,180</u>	2,009,542

*Capital Leasing Fund*

Internal Charges	7,395,000	
Capital Lease	8,500,000	
Other Revenue	<u>85,000</u>	<u>15,980,000</u>

Total		\$450,275,582
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Less Total Transfers and Internal Charges		<u>(100,435,494)</u>
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Net Total		\$349,840,088
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*Section 3.* There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property, as listed for taxes as of January 1, 2005, for the purpose of raising the revenue from Current Year's Property Tax, as set forth in the foregoing estimates of revenue, and in order to finance the foregoing appropriations:

- |  |              |
|--|--------------|
| a) For the payment of general operating expenses and capital expenditures of the City including the payment of principal and interest of the bonded indebtedness of the City of Greensboro | .5475        |
| b) For the payment of general operating expenses and capital expenditures associated with the improvement of transit operations within the City of Greensboro                              | <u>.0200</u> |
| Total  | .5675        |

Such rates of tax are based on an estimated total appraised valuation of property for purposes of taxation of \$21,200,000,000 and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

*Section 4.* There is hereby levied the following rates of tax on each one hundred dollars (\$100.00) valuation of taxable real property and taxable tangible personal property in the following municipal service districts, as listed for taxes as of January 1, 2005, for the purposes as set for in the Municipal Service Districts as authorized by City Council:

- |  |     |
|--|-----|
| a) College Hill Historic District for improvements as stated in the Special Historic District Plan                                 | .05 |
| b) Charles B. Aycock Historic District for improvements as stated in the Special Historic District Plan                            | .05 |
| c) Business Improvement District for improvements as stated in the Downtown Greensboro Business Improvement District Business Plan | .09 |

Such rates of tax are based on the estimated total appraised valuations in each Municipal Service District and an estimated rate of collection of ninety-eight and one-half percent (98.5%).

*Section 5.* Appropriations hereinabove authorized and made for the purpose other than necessary governmental functions are hereby made from revenue collectible from miscellaneous revenues and sources other than taxes.

Appropriations authorized for Cultural Contributions and Chamber of Commerce Contributions are hereby made from revenues collectible from sources other than taxes.

*Section 6.* Appropriations hereinabove authorized and made for water and sewer operating fund, water and sewer current operating expense and debt service, are made from revenue collectible for the operation of the combined water and sewer systems and miscellaneous revenue.

*Section 7.* Appropriations hereinabove authorized and made shall have the amounts of the outstanding purchase orders and unearned portion of contracts at June 30, 2005 (rounded to the nearest five dollars) added to each appropriation as it applies in order to properly account for the payment against the fiscal year in which it is paid.

*Section 8.* Copies of this ordinance shall be furnished to the Budget and Evaluation Director, Finance Director and the City Clerk within five days after adoption to be kept on file by them for their direction in the disbursement of City funds.

*Section 9.* This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Donald R. Vaughan

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Councilmember Gatten moved adoption of a resolution adopting the FY 2005-2011 Capital Improvements Program (CIP). The motion was seconded by Councilmember Vaughan; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 150-05 RESOLUTION ADOPTING SIX YEAR CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, capital improvements programming is a comprehensive approach to improving social and physical conditions in a governmental jurisdiction by evaluation of growth and development trends;

WHEREAS, capital improvements programming serves as a basic framework for scheduling public improvements and requires the assistance of government officials and agencies, as well as community residents;

WHEREAS, a report entitled *2005-2011 Capital Improvements Program* has been prepared;

WHEREAS, after conduct of a public hearing and resulting review and discussion, the Planning Board recommends adoption of the *2005-2011 Capital Improvements Program*;

WHEREAS, the report provides a comprehensive listing of needed public improvements and related financial resources, indicates estimated future revenues and operating expenditures, illustrates the importance of relating the City's comprehensive plans to its fiscal capability and provides recommendations for scheduling each public improvement project, while estimating planning, design and development costs

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the City Council recognizes the capital improvements programming process as the translation of community goals and objectives into needed physical facilities which are essential to residential, business, institutional and leisure activities, and

2. That the City Council does hereby adopt the report entitled *Capital Improvements Program 2005-2011*. Following is an expense summary by service category and related financing as is included in the FY 05 -11 Capital Improvements Program:

Expenditures

Public Safety	\$35,786,710
Transportation	87,378,287
Economic and Community Development	28,401,510
Environmental Protection	194,640,700
Culture and Recreation	100,161,285
General Government	<u>3,500,490</u>
Total	\$449,868,982

#### Financing

General Fund	\$2,000,000
Enterprise Funds	63,008,000
Street and Sidewalk Funds	6,500,000
Powell Bill/State Road Funds	28,614,794
Authorized GO Bonds	81,724,618
GO Bonds to be Authorized	110,364,764
Revenue Bonds	133,740,700
Grants/Other Rev Sources	<u>23,916,106</u>
Total	\$449,868,982

(Signed) Florence Gatten

(A copy of the 2005-2011 Capital Improvements Program is filed in Exhibit Drawer P, Exhibit Number 10, which is hereby referred to and made a part of these minutes.)

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Councilmember Bellamy-Small moved adoption of an ordinance establishing the FY 05-06 budget for the Greensboro/High Point/Guilford County Workforce Development Consortium. The motion was seconded by Councilmember Carmany. After Councilmember Gatten stated she had not voted as she had intended, Councilmember Vaughan moved to instruct the Clerk to clear the voting screen. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council. The ordinance was thereupon adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 05-135 ORDINANCE ESTABLISHING THE FY 05-06 GRANT PROJECT BUDGET GREENSBORO/HIGH POINT/GUILFORD COUNTY JOB TRAINING CONSORTIUM

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year and to permit the use of continuing appropriations of the FY 05-06 Workforce Investment Act Grant and to properly account for such usage, it is deemed in the best interest of the City of Greensboro to establish, by ordinance, a special FY 05-06 grant project for the Workforce Investment Act Grant with revenues and expenditures being specifically defined as is shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for the FY 05-06 Workforce Investment Act Grant be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
WIA Program	2,427,784	

Program Administration 269,753

Federal & State Grants	<u>                    </u>	<u>2,697,537</u>
TOTAL	\$2,697,537	\$2,697,537

2. AND THAT, the expense and revenue estimates here-in-above authorized and made for the FY 05-06 Workforce Investment Act Project shall be documented and recorded by line item within the accounting system of the City of Greensboro so as to provide a foundation for the proper recording of actual revenue and expenditures and shall be duly filed with the City Clerk of the City of Greensboro.

3. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Yvonne J. Johnson

.....

Mayor Holliday introduced an ordinance establishing the FY-05-06 budget for the Community Development Block Grant (CDBG). Councilmember Phillips stated he did not support the Targeted Loan Pool Program.

Councilmember Gatten moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, and Vaughan. Noes: Phillips.

05-136 ORDINANCE ESTABLISHING FY 05-06 GRANT PROJECT BUDGET FOR COMMUNITY DEVELOPMENT BLOCK GRANT

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for Community Development Block Grant FY 05-06, it is deemed in the best interest of the City to establish a special grant project ordinance for Community Development Block Grant FY 05-06, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for Community Development Block Grant FY 05-06 be established and appropriated for the life of the project as follows:

<u>Description:</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
CDBG Administration & Planning	\$500,000	
Fair Housing	\$18,500	
Section 108 Loan Repayment	\$605,000	
Arlington Park Target Area	\$20,000	
Eastside Park Target Area	\$30,000	
Willow Oaks	\$550,000	
Homeowner Rehabilitation	\$689,677	
Rental Rehabilitation	\$100,000	
Ole Asheboro Target Area	\$50,000	
Shelter Operations/Emergency Assistance	\$324,354	
Targeted Loan Pool	<u>\$127,000</u>	
Total	\$3,014,531	

Governmental Grant	\$2,171,643
Program Income	\$550,000
Reprogrammed Funds	<u>\$292,888</u>
Total	\$3,014,531

2. This Ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Florence Gatten

.....

The Mayor introduced an ordinance establishing the FY-05-06 Budget for the HOME Grant. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-137 ORDINANCE ESTABLISHING THE FY 05-06 HOME PROGRAM AND THE AMERICAN DREAM DOWNPAYMENT INITIATIVE GRANT PROJECT BUDGET FOR THE GREENSBORO, GUILFORD, BURLINGTON, AND ALAMANCE HOUSING CONSORTIUM

WHEREAS, the Cranston-Gonzalez National Affordable Housing Act of 1990, authorizes contiguous units of local government to form consortia in order to receive HOME funding as one jurisdiction;

AND WHEREAS, the City of Greensboro and Guilford County formed a HOME Consortium and subsequently added the City of Burlington and Alamance County;

AND WHEREAS, State Statutes require pre-authorization of the expenditure of Federal Grant Funds by the Governing Body having jurisdiction over and responsibility for said funds;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the Grant Project Budget for the FY 05-06 HOME Program Grant be established and appropriated for the life of the project as follows:

	Estimated Expenditures	Estimated Revenues
<u>Greensboro</u>		
Multi-Family Housing	\$506,131	
Single Family Housing	\$291,662	
CHDO Project Assistance	\$110,000	
Program Administration	\$138,808	
Homeowner Rehabilitation	\$330,000	
Affordable Home Loan Program - ADDI	<u>\$52,714</u>	
Total Greensboro	\$1,429,315	
<u>Guilford County</u>		
Administration	\$15,355	
Single Family Housing	\$299,096	
Homebuyer Assistance - ADDI	<u>\$6,599</u>	
Total Guilford County	\$321,050	
<u>Burlington</u>		
Homebuyer Assistance – ADDI	\$11,074	

Owner-Occupied Housing Rehabilitation	\$193,256	
CHDO Project Assistance	\$38,651	
Administration	<u>\$25,768</u>	
Total Burlington	\$268,749	
<i><u>Alamance County</u></i>		
Homebuyer Assistance – ADDI	\$5,460	
CHDO Project Assistance	\$19,061	
Owner-Occupied Housing Rehabilitation	\$95,304	
Administration	<u>\$12,707</u>	
Total Alamance County	\$132,532	
Total Consortium	\$2,151,646	
2004 HOME Grant		\$1,764,894
2003-2004 ADDI Grant		\$75,847
Greensboro Program Income		\$100,000
Reprogrammed funds		<u>\$210,905</u>
Total Consortium	\$2,151,646	

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Sandy Carmany

.....

Mayor Holliday introduced an ordinance establishing the FY-05-06 budget for KIDS, Inc. Councilmember Bellamy-Small moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-138 ORDINANCE ESTABLISHING FY 05-06 GRANT PROJECT BUDGET FOR KIDS, INC.  
DAY CARE PROJECT

WHEREAS, the Local Government and Fiscal Control Act, as amended, provides for grant budgeting pursuant to G. S. 159-13.2 and as an alternative to the annual budgeting of grant project funds and;

WHEREAS, in order to alleviate the requirement to re-authorize unused appropriations from fiscal year to fiscal year and to permit the continuing use of residual appropriations to underwrite costs that are attributable to KIDS, INC. project activities, it is deemed in the best interest of the City of Greensboro and KIDS, INC. to establish a special FY 05-06 grant project budget for KIDS, INC., with revenue and expenditures being authorized as shown below:

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the FY 05-06 grant project budget for KIDS, INC. be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
Heat & Electricity	\$8,200	
Water & Sewer Utility	600	
Stormwater Fee	100	
Contract Maint of Bldgs	4,000	

Maint & Repair Buildings	3,900	
Insurance Premiums	200	
Contingency	3,265	
Rent-Real Estate	<u>\$20,265</u>	
Total	\$20,265	\$20,265

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) T. Dianne Bellamy-Small

.....

Mayor Holliday introduced an ordinance establishing FY 05-06 Grant Project Budget for the Emergency Shelter Grant.

Councilmember Gatten moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

**05-139 ORDINANCE ESTABLISHING FY 05-06 GRANT PROJECT BUDGET FOR THE EMERGENCY SHELTER GRANT**

WHEREAS, the Local Government Budget and Fiscal Control Act, as amended, provides for grant project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of grant projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, and to permit the use of continuing appropriations to account for the Emergency Shelter Grant FY 05-06, it is deemed in the best interest of the City to establish a special grant project ordinance for the Emergency Shelter Grant FY 05-06, with the revenues and expenditures being established as shown below:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the grant project budget for the Emergency Shelter Grant FY 05-06 be established and appropriated for the life of the project as follows:

<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
Shelter Grants	\$83,985	
Governmental Grant		<u>\$83,985</u>
Total	\$83,985	\$83,985

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Florence Gatten

.....

The Mayor introduced an ordinance amending the State Highway Allocation Capital Project Fund. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Vaughan; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.



05-140 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 05-06 STATE HIGHWAY ALLOCATION CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for State Highway Allocation Capital Projects to be undertaken in FY 05-06;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for State Highway Allocation Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
402-4531-01.5611	Maint/Repair Sts/Sidewalks	3,350,139	
402-4531-01.9202	Transfer From State Highway Allocation Fund	_____	<u>3,350,139</u>
Total		\$3,350,139	\$3,350,139

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Sandy Carmany

.....

Mayor Holliday introduced an ordinance amending the General Capital Projects Fund. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-141 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 05-06 WATER RESOURCES CAPITAL IMPROVEMENTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;

AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Water Resources Capital Projects to be undertaken in FY 05-06;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for Water Resources Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
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503-7015-01.6012	Land	\$25,000	
503-7015-01.6016	Water Lines	\$500,000	
503-7015-01.6016	Water Lines Rehabilitation	\$1,500,000	
503-7015-02.6012	Land	\$40,000	
503-7015-02.6017	Sewer Lines	\$935,000	
503-7015-02.6017	Sewer Lines Rehabilitation	\$3,000,000	
503-7015-01.9501	Trans. From Water Res Oper Fund		\$2,025,000
503-7015-02.9501	Trans. From Water Res Oper Fund		\$3,975,000
Total		<u>\$6,000,000</u>	<u>\$6,000,000</u>

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Sandy Carmany

.....

The Mayor introduced an ordinance amending the FY 05-06 General Capital Projects Fund. Councilmember Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-142 ORDINANCE ESTABLISHING CAPITAL PROJECT BUDGET FOR FY 05-06 GENERAL CAPITAL PROJECTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;  
AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for General Fund Capital Projects to be undertaken in FY 05-06;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the following capital project budgets for General Capital Projects Fund be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
410-0000-00.6019	Other Improvements	263,000	
410-2008-01.6019	Citizens CIP	100,000	
Total			
410-0000-00.9101	Transfer from General Fund	<u>          </u>	<u>\$363,000</u>
Total		\$363,000	\$363,000

This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Donald R. Vaughan

.....

Mayor Holliday introduced an ordinance amending the Storm Water Management Capital Improvements Fund. He stated this item was inadvertently not included on the printed agenda, but had been posted on the City web site. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Gatten; the ordinance was adopted on the following roll call vote: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-143 ORDINANCE ESTABLISHING CAPITAL PROJECT FUND BUDGET FOR FY 05-06 STORMWATER MANAGEMENT CAPITAL IMPROVEMENTS FUND

WHEREAS, the Local Government Budget and Fiscal Control Act provides for capital project budgeting pursuant to G.S. 159-13.2 as an alternative to annual budgeting of capital projects;  
AND WHEREAS, in order to alleviate the requirements to re-adopt appropriations from fiscal year to fiscal year, it is deemed in the best interest of the City to establish a special capital project ordinance for Stormwater Management Capital Projects to be undertaken in FY 05-06;

AND WHEREAS, the revenues and expenditures shown below are being established for these capital projects;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

1. That the following capital project budgets for Stormwater Management Capital Projects be established and appropriations for the life of the projects will be as follows:

<u>Account Number</u>	<u>Description</u>	<u>Estimated Expenditures</u>	<u>Estimated Revenues</u>
506-7005-01.6018	Stormwater Cap. Improv	\$1,755,728	
506-7005-01.9505	Transfer from Stormwater Management Fund	_____	<u>\$1,755,728</u>
Total		\$1,755,728	\$1,755,728

2. This ordinance shall be effective from and after the date of July 1, 2005.

(Signed) Sandy Carmany

.....

Mayor Holliday introduced an ordinance amending Chapter 8 of the Greensboro Code of Ordinances, adjusting fees for Cemeteries' lot sales and marker placement fees. Councilmember Vaughan moved adoption of the ordinance. The motion was seconded by Councilmember Gatten, the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-144 AN ORDINANCE AMENDING CHAPTER 8 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO GRAVE LOTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 8-3 *Lots and grave prices* of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 8-3. Lot and grave prices.

- (a) *Maplewood Cemetery.* The price per grave space anywhere in Maplewood Cemetery is hereby fixed at one thousand and fifty dollars (\$1,050.00) per grave space except for these areas described in subsection (d) and (e) of this section.
- (b) *Green Hill Cemetery* The price per grave space anywhere in Green Hill Cemetery is hereby fixed at one thousand and fifty dollars (\$1,050.00) per grave space except for those areas described in subsection (e) of this section.
- (c) *Forest Lawn Cemetery.* The price per grave space anywhere in Forest Lawn Cemetery except in mausoleum sections is hereby fixed at one thousand and fifty dollars (\$1,050.00) per grave space except for those described in subsection (d) and (e) of this section. In mausoleum sections the price per lot is hereby fixed at one hundred dollars (\$100.00) per front foot.
- (d) *[Veterans Circle.]* A grave space in Veterans Circle at Forest Lawn Cemetery or Maplewood Cemetery is hereby fixed at six hundred dollars (\$600.00) per grave space for the burial of persons who have served as members of military or naval forces of the United States and who have been honorably discharged from the service of the United States.
- (e) *Cremation graves.* The price per cremation grave space in any city cemetery is hereby fixed at five hundred dollars (\$500.00) per established cremation space, except for those regular sized and priced grave sites which may contain no more than two (2) urns.
- (f) *[Fees for purchase of cemetery lots and graves by non-residents.]* Fees for the purchase of cemetery lots and graves by non-residents will be set at twenty-five (25) percent above the resident price as set forth herein and in the City of Greensboro Schedule of Fees.

Section 2: That Section 8-4. Fee for cemetery services rendered of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 8-4. Fee for cemetery services rendered.

- (a) The fee for digging an adult grave in any of the city cemeteries when funeral services are scheduled between the hours of 8:00 a.m. and 3:00 p.m. on Monday through Friday is hereby fixed at eight hundred dollars (\$800.00) per grave; the fee for digging a child's grave up to four (4) feet is hereby fixed at four hundred fifty dollars (\$450.00) per grave. The fee for digging a grave for interring urns of ashes is hereby fixed at four hundred dollars (\$400.00).
- (b) The fee for digging a grave in any of the city cemeteries when funeral services are scheduled on Saturday hereof is fixed at nine hundred fifty dollars (\$950.00) per grave for adults and five hundred fifty dollars (\$550.00) for each child's grave. The fee for digging a grave for interring urns of ashes on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at five hundred dollars (\$500.00) per grave.
- (c) The fee for digging a grave in any of the city cemeteries when funeral services are scheduled on a city holiday, Sunday or any other time not set forth in subsections (a) or (b) hereof is fixed at one thousand fifty dollars (\$1,050.00) per grave for adults and five hundred fifty dollars (\$550.00) for each child's grave. The fee for digging a grave for interring urns of ashes on city holidays, Saturdays, Sundays, or times other than set forth in subsection (a) hereof is fixed at four hundred fifty dollars (\$450.00) per grave.
- (d) The fee for exhuming bodies in any city cemetery shall be the same as the fee charged for digging a grave as set out in subsections (a) and (b) above, plus an additional two thousand dollars (\$2,000.00) per grave space.
- (e) The fee for the installation of a grave marker or monument is fixed at one hundred fifty dollars (\$150.00), provided such marker or monument conforms to the dimensional requirements set forth in Section 8-6 of this Chapter.
- (f) No fee shall be charged for scattering urns of ashes or for services rendered relative to interring caskets or urns in mausoleum vaults.
- (g) All fees incident to applications and requests from funeral homes for granting grave spaces, opening graves, or other service shall be payable no later than the fifteenth day of the month following the date of such applications and requests.

Section 3: That this ordinance shall become effective on July 1, 2005.

Section 4: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Donald R. Vaughan

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Mayor Holliday introduced an ordinance amending Chapter 10 of the Greensboro Code of Ordinances, adjusting fees for provision of services for handling hazardous materials. Councilmember Gatten moved adoption of the ordinance. The motion was seconded by Councilmember Carmany; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

#### 05-145 AMENDING CHAPTER 10

#### AN ORDINANCE AMENDING CHAPTER 10 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO FIRE PREVENTION AND PROTECTION

#### BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. That Sec. 10-31 Responsibility; fees and charges of the Greensboro Code of Ordinances is hereby amended to read as follows:

“The city will not charge for abatement, control and containment of hazardous material responses, or fire incidents involving hazardous materials which accrue one hundred fifty dollars (\$150.00) or less in charges.

The city will charge for abatement, control and containment of hazardous material responses or fire incidents involving hazardous materials which accrue more than one hundred fifty dollars (\$150.00) in charges. In all cases the first one hundred fifty dollars (\$150.00) of expenses shall not be charged to the person in default.

Charges for hazardous materials emergency response on behalf of the city by the fire department shall be based upon the following schedule:

Engine, Quint and Rescue apparatus shall be one hundred fifty dollars (\$150.00) per hour for each apparatus. Charges will be assessed in half hour increments after the first hour.

Hazardous materials team response (full) shall be three hundred dollars (\$300.00) for the initial hour. Charges will be assessed in half hour increments after the first hour.

Hazardous materials team response (modified) shall be one hundred fifty dollars (\$150.00) for the initial hour. Charges will be assessed in half hour increments after the first hour.

Battalion Chief response shall be twenty-five dollars (\$25.00) per hour. Charges will be assessed in half hour increments after the first hour.

Reusable entry suits shall be three hundred seventy-five dollars (\$375.00) for each suit.

Monitors shall be fifty dollars (\$50.00) for each monitor.

Any other actual costs of abatement control and containment of hazardous materials other than set out above”.

Section 2. That Sec. 10-32 Fire incidents involving hazardous materials of the Greensboro Code of Ordinances is hereby amended by changing the words and figures “one hundred dollars (\$100.00) to one hundred fifty dollars (\$150.00)”.

Section 3. That Sec. 10-33 Definitions of the Greensboro Code of Ordinances is hereby amended by adding the following definitions at the end to read as follows:

“Full hazardous materials team. Consists of hazardous materials response apparatus, decontamination apparatus and personnel.

Modified hazardous materials team. Consists of hazardous materials response apparatus and personnel”.

Section 4. That all laws and clauses of laws in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 5. That this ordinance shall become effective July 1, 2005.

(Signed) Florence Gatten

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The Mayor introduced an ordinance amending Chapter 29 of the Greensboro Code of Ordinances, adjusting fees for provision of water and wastewater services. Councilmember Carmany moved adoption of the ordinance. The motion was seconded by Councilmember Bellamy-Small, the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-146 AN ORDINANCE AMENDING CHAPTER 29 OF THE GREENSBORO CODE OF ORDINANCES WITH RESPECT TO WATER RESOURCES BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1: That Section 29-26 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-26. Connection Charges.

Charge for setting a meter when lateral has been run to property and meter box and meter setter have been set shall be as follows:

Meter size	
5/8"	\$75.00
5/8" (new Construction)	85.00
3/4"	95.00
1"	105.00
1 1/2"	325.00
2"	390.00
3"	per cost
4"	per cost

Section 2: That Section 29-46 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-46. Generally.

Rates for water and sewer service shall apply only to the quantities shown in the corresponding brackets, and the cost of any quantity shall be the cumulative total of all portions of that quantity. Rates for sewer service inside the city shall be a uniform charge of two dollars and fifty-five cents (\$2.55) per one hundred (100) cubic feet of wastewater discharge plus a billing and availability charge as shown below:

Size of Meter	Billing and Availability Charge
5/8"	\$4.40
3/4"	6.05
1"	10.00
1 1/4"	12.10
1 1/2"	19.80
2"	33.00
3"	66.00
4"	105.00
6"	200.00
8"	320.00

The billing and availability charge shall be charged with each billing, whether monthly or quarterly billing. Rates for sewer service outside the city shall be a uniform charge of five dollars and ten cents (\$5.10) per one hundred (100) cubic feet of wastewater discharge plus a billing and availability charge each month as shown below:

Size of Meter	Billing and Availability Charge
5/8"	\$8.80
3/4"	12.10
1"	20.00
1 1/4"	24.20
1 1/2"	39.60
2"	66.00
3"	132.00
4"	210.00
6"	400.00
8"	640.00

No discounts shall be allowed from the rates fixed on the above schedule. If a meter was cut off before the end of the billing period, the actual consumption plus the billing and availability charge for the appropriate meter size shall be charged.

The annual sewer charge inside the city for unmetered accounts shall be based on ninety-six (96) units of sewer at the current inside rate per one hundred (100) cubic feet of waste water discharge or a pro rata portion for the months that the service is provided. The annual sewer charge outside the city for unmetered accounts shall be based on ninety-six (96) units of sewer at the current outside rate per one hundred (100) cubic feet of waste water or a pro rata portion for the months that the service is provided.

Section 3: That Section 29-47 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-47. Quarterly rates inside the city; billing and availability charges.

Quarterly rates shall apply to meters normally reading less than fifty units monthly that are inside accounts.

*Residential water charges.* Quarterly billed (inside) accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of four dollars and forty cents (\$4.40) or six dollars and five cents (\$6.05) respectively, for each quarter. In addition, the account will be charged for water consumed as follows:

	Per Unit
First 9 units	\$1.47
10th through 30th units	2.05
31st through 60th units	2.65
All units over 60	3.40

*Non-residential water charges.* All quarterly billed (inside) accounts not described in (a) above or (c) below shall be billed two dollars and five cents (\$2.05) per unit plus a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$4.40
3/4"	6.05
1"	10.00
1 1/4"	12.10
1 1/2"	19.80
2"	33.00
3"	66.00
4"	105.00
6"	200.00
8"	320.00

*Irrigation use.* All quarterly billed irrigation accounts (water metered separately for irrigation or other outside use only) shall be charged three dollars and forty cents (\$3.40) per unit plus a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$4.40
3/4"	6.05
1"	10.00
1 1/4"	12.10
1 1/2"	19.80
2"	33.00
3"	66.00
4"	105.00
6"	200.00
8"	320.00

Section 4: That Section 29-48 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-48. Monthly rates inside the city; billing and availability charges.

*Residential water charges.* Monthly billed (inside) accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of four dollars and forty cents (\$4.40) or six dollars and five cents (\$6.05) respectively, for each month. In addition, the account will be charged for water consumed as follows:

Per Unit	
First 3 units	\$1.47
4th through 10th units	2.05
11th through 20th units	2.65
All units over 20	3.40

*Non-residential water charges.* All monthly billed (inside) accounts not described in (a) above or (c) below shall be billed a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$4.40
3/4"	6.05
1"	10.00
1 1/4"	12.10
1 1/2"	19.80
2"	33.00
3"	66.00
4"	105.00
6"	200.00
8"	320.00

Consumption of water shall be billed at two dollars and five cents (\$2.05) per unit for all units.

*Irrigation use.* All inside monthly billed irrigation accounts (water metered separately for irrigation or other outside use only) shall be three dollars and forty cents (\$3.40) per unit plus a billing and availability charge as shown in (b) above.

Section 5: That Section 29-49 of the Greensboro Code of Ordinances is hereby amended to read as follows:

Sec. 29-49. Monthly rates outside city; billing and availability charges.

All water meters outside the corporate limits of the city shall be read monthly and shall be billed at the following rates:

*Residential water charges.* Outside accounts with 5/8" and 3/4" meters that are billed as residential accounts shall be charged a billing and availability charge of eight dollars and eighty cents (\$8.80) or twelve dollars and ten cents (\$12.10) respectively, for each month. In addition, the account will be charged for water consumed as follows:



Per Unit	
First 3 units	\$2.94
4th through 10th units	4.10
11th through 20th units	5.30
All units over 20	6.80

*Non-residential water charges.* All outside accounts not described in (a) above or below shall be billed a billing and availability charge as follows:

Size of Meter	Billing and Availability Charge
5/8"	\$8.80
3/4"	12.10
1"	20.00
1 1/4"	24.20
1 1/2"	39.60
2"	66.00
3"	132.00
4"	210.00
6"	400.00
8"	640.00

Consumption of water shall be billed at four dollars and ten cents (\$4.10) per unit for all units.

*Irrigation use.* All outside irrigation accounts (water metered separately for irrigation or other outside use only) shall be charged six dollars and eighty cents (\$6.80) per unit plus a billing and availability charge as shown in (b) above.

Monthly rates charged to consumers provided sewer service by the Town of Jamestown should be as commensurate with sewer service charges adopted by the Town of Jamestown.

Monthly rates charged to consumers provided sewer service by the City of High Point shall be as commensurate with sewer service charges adopted by the City of High Point.

Section 6: That this ordinance shall become effective on and after January 1, 2006.

Section 7: That all ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

(Signed) Sandy Carmany

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The Mayor introduced an ordinance establishing in the amount of \$7,650,000 Solid Waste Transfer Station Capital Project Bond Fund. Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten , Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-147 ORDINANCE ESTABLISHING SOLID WASTE TRANSFER STATION CAPITAL PROJECT BOND FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the Solid Waste Transfer Station Capital Project Bond Fund Budget of the City of Greensboro be established for the life of the project, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
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555-6509-01.6019	Solid Waste Transfer Station	\$7,050,000
555-6509-01.5831	Bond Issue Expense	250,000
555-6509-01.5821	Capitalized Interest	<u>350,000</u>
Total		\$7,650,000

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
555-6509-01.9007	Special Obligation Bond Proceeds	\$7,300,000
555-6509-01.8510	Interest Earnings	<u>350,000</u>
Total		\$7,650,000

(Signed) Claudette Burroughs-White

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The Mayor introduced a resolution approving bid in the amount of \$5,804,000 and authorizing Contract No. 2005-040 with Laughlin-Sutton Construction Company for the Solid Waste Transfer Facility. Councilmember Burroughs-White moved adoption of the resolution. The motion was seconded by Councilmember Bellamy Small; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

151-05 RESOLUTION APPROVING BID AND AUTHORIZING EXECUTION OF CONTRACT NO. 2005-40 WITH LAUGHLIN-SUTTON CONSTRUCTION COMPANY FOR THE SOLID WASTE TRANSFER FACILITY

WHEREAS, after due notice, bids have been received for the construction of a Solid Waste Transfer Station;

WHEREAS, Laughlin-Sutton Construction Company, a responsible bidder, has submitted the low base and alternate bid in the total amount of \$5,804,000.00 as general contractor for Contract No. 2005-40, which bid, in the opinion of the City Council, is the best bid from the standpoint of the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the bid hereinabove mentioned submitted by Laughlin-Sutton Construction Company is hereby accepted, and the Mayor and City Clerk are hereby authorized to execute on behalf of the City of Greensboro a proper contract to carry the proposal into effect, payment to be made in the amount of \$5,804,000.00 from Account No. 551-6509-09.5429.

(Signed) Claudette Burroughs-White

(A tabulation of bids is filed with the above resolution and is hereby referred to and made a part of the minutes).

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Mayor Holliday introduced an ordinance amending General Capital Improvements Fund. Councilmember Burroughs-White moved adoption of the ordinance. The motion was seconded by Councilmember Johnson; the ordinance was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

05-148 ORDINANCE AMENDING GENERAL CAPITAL IMPROVEMENTS FUND

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the General Capital Improvements Fund Budget of the City of Greensboro is amended, as follows:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-5007-08.6011	Land	\$360,000

And, that the following revenue finances these appropriations:

<u>Account</u>	<u>Description</u>	<u>Amount</u>
410-0000-00.8616	Sale of Real Estate	\$360,000

(Signed) Claudette Burroughs-White

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The Mayor introduced a resolution approving a contract between the City of Greensboro and Fire District #14, Inc. to merge fire services in Fire District #14. Councilmember Carmany moved adoption of the resolution. The motion was seconded by Councilmember Burroughs-White; the resolution was adopted on the following roll call vote: Ayes: Bellamy-Small, Burroughs-White, Carmany, Gatten, Holliday, Johnson, Perkins, Phillips and Vaughan. Noes: None.

152-05 RESOLUTION APPROVING A CONTRACT BETWEEN THE CITY OF GREENSBORO AND FIRE DISTRICT #14, INC., TO MERGE FIRE SERVICES IN FIRE DISTRICT #14.

WHEREAS, City Council adopted Resolution #244-98 on December 20, 1998, accepting the Emergency Services Consulting Group Feasibility Study on coordinated fire services in the metropolitan area of Greensboro;

WHEREAS, Council Resolution #244-98 directed City Administration to pursue recommendations contained in the study for merger and consolidation of fire services;

WHEREAS, Council Resolution #84-01 approved the first merger consolidation recommendation in the study with the Guilford College Volunteer Firemen's Association

WHEREAS, Fire District #14, Inc. will transfer all capital assets and equipment inventories to the City of Greensboro, and the City will immediately provide employment for eleven sworn, uniformed career employees of Fire District #14, Inc.; and the City will make provisions for Fire District #14 volunteers following merger according to the contract, which contract is referred to herein and made a part hereof;

WHEREAS, this agreement benefits the City of Greensboro by avoiding capital and facility costs amounting to \$2,750,000 that is anticipated in planned annexation areas, and received capital assets and equipment valued at \$654,565; and, in addition this option will increase efficiencies through the elimination of duplicated efforts among all of the agencies involved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

That the contract for merger between the City of Greensboro and Fire District #14, Inc. is hereby approved.

(Signed) Sandy Carmany

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Addressing Council as a speaker from the floor, Luther Falls, Jr. , residing at 303 P Avalon Road, offered personal opinions with regard to positive attributes of Southeast Greensboro. He thanked Council for their support.

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Councilmember Johnson requested discussion at a future briefing of benefits and the City's responsibility with regard to fire and police when injured.

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At the request of Councilmember Johnson, Mr. Simmons provided a brief update with respect to alleged asbestos dumping violations by a demolition contractor. He advised that additional information would be provided from the State of North Carolina.

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Councilmember Johnson provided an update on recent community efforts to address prostitution.

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Councilmember Vaughan requested clarification with respect to new business license requirements reported by a beauty salon operated by one owner at multiple locations. The City Attorney advised that information would be provided.

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Council discussed various recent and future community events.

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Councilmember Burroughs-White added the name of Evelyn Miller to the boards and commissions data bank for consideration for future service.

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Councilmember Burroughs-White moved to appoint Nancy Stewart to the ABC Board in the position formerly held by Barney Brown; this term will begin 3 July 2005 and expire 3 July 2008. The motion was seconded by Councilmember Carmany and unanimously adopted by voice vote of Council.

Councilmember Burroughs-White added the name of Jo Leimenstoll to the boards and commissions data bank for consideration for future service on the Guilford County Historic Preservation Commission.

Councilmember Burroughs-White added the name of James Harris to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

Councilmember Burroughs-White added the name of James Jarrell to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

Councilmembers Burroughs-White and Bellamy-Small shared personal opinions with respect to disparities in commerce between Eastern Greensboro and other areas of the City recently reported by the media.

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Councilmember Bellamy-Small expressed her opinion with respect to the need for bus service for elderly residents in specific areas of downtown Greensboro.

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Councilmember Gatten added the name of Anne Hurd to the boards and commissions data bank for consideration for future service.

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Councilmember Carmany added the name of Allison Blake MacCord to the boards and commissions data bank for consideration for future service on the Bicentennial Commission.

Councilmember Carmany moved that Teresa Miller be appointed to serve on the Bicentennial Commission; this term is for three years. The motion was seconded by Councilmember Phillips and unanimously adopted by Council.

Councilmember Carmany provided an update with respect to her recent efforts to lobby the North Carolina Department of Transportation to reduce construction delays on the Urban Loop.

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Councilmember Phillips moved that Gail Fripp be appointed to the Bicentennial Commission; this term is for three years. The motion was seconded by Councilmember Gatten and unanimously adopted by voice vote of Council.

Councilmember Phillips provided brief updates with regard to the Land Development Advisory Committee, the Piedmont Triad Regional Water Authority and progress on the Randleman Dam.

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Councilmember Perkins expressed his opinion that consistent design standards were needed to insure the quality of pending downtown streetscape enhancements.

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The Mayor stated there was a need to investigate back flow prevention mechanisms recently placed on downtown sidewalks with respect to Americans with Disabilities Act requirements. He requested information with regard to practices of other cities.

Mayor Holliday invited Council to visit Greenville, South Carolina to see their progress in downtown development standards.

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Council discussed at length the drawbacks and benefits of medians, locations where medians were a concern, and the process for determining the need for these devices. Mayor Holliday requested additional discussion on defining median standards at a future briefing. Deputy City Manager Johnson advised that he would provide additional information pertaining to median installation at Pisgah Church and Elm Street in an Items For Your Information report to Council.

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Mayor Holliday added the name of Bernadine Chapman to the boards and commissions data bank for consideration for future service on the Greensboro Housing Authority.

The Mayor requested improvement of the asphalt in the pedestrian area under construction on Greene Street as soon as possible and cleaning of the Millennium Gate on the Governmental Plaza. He suggested that taxi stand areas be provided in the downtown area after 10:00 pm to accommodate patrons of downtown businesses. No action was taken.

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Councilmember Phillips offered to provide members of Council with a tour of the Randleman Dam.

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Councilmember Johnson moved that the meeting be adjourned. The motion was seconded by Councilmember Bellamy-Small and unanimously adopted by voice vote of Council.

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The meeting was adjourned at 9:00 p.m.

Keith A. Holliday  
Mayor

Susan E. Crotts  
Deputy City Clerk

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